

25.1 Introduction

This chapter outlines the duties and responsibilities of electoral boards and registrars in the redistricting process. Much of the material here can be found in greater detail in the [Guide to Local Redistricting for 2001](#) published by the General Assembly's [Division of Legislative Services](#) (When the guide for the 2011 redistricting is available, look for it on the same [web page](#)).

Redistricting is conducted the year after every decennial census. It is a requirement of the U.S. Constitution, the Virginia Constitution, and the Code of Virginia. The basic purpose is to ensure that all electoral districts in the state – from congressional districts to county supervisor districts – conform to the principle of “one person, one vote.” The General Assembly enacts legislation redistricting congressional, House of Delegates, and State Senate districts concerning which the Governor has regular veto powers. Local governing bodies enact redistricting ordinances establishing new precincts, as well as wards or election districts for local offices that are not “at-large.”¹ This means that November 2011 elections, including those for affected local offices, will most likely be conducted using the new districts lines. It is possible, however, that some legal barrier to implementation could arise such as a denial of preclearance or litigation.²

Electoral boards and registrars have virtually *no* rights nor responsibilities in regard to developing a redistricting plan. This duty falls to the local governing body however; electoral boards and registrars have the lead responsibility in implementing such plans.

25.2 Developing a Redistricting Plan

While there is no legal responsibility to be involved in re-mapping district lines, electoral boards and registrars *should* involve themselves as much as possible in the redistricting process for two reasons:

1. Electoral boards and registrars are the ones who deal on a day-to-day basis with precinct and election district lines and therefore have first-hand knowledge of what lines need to be changed; and

¹ Va. Const. Art, VII, § 5. Constitutional offices and some local governing bodies are elected “at-large.” Va. Code § 24.2-304.1.

² Op. Va. Att’y Gen. 01-016 (special elections held at November general following redistricting are based on new precleared districts most closely approximating old districts).

2. Electoral boards and registrars are the ones that must implement the results, establish new polling places, and inform the voters of changes in their representation and their voting locations.

Registrars and electoral boards need to be proactive: if the locality has not contacted them, the electoral board or registrar should ask the city or county manager or executive to be included in the planning process. In most localities, a committee will be formed to develop a redistricting calendar and to draw up a plan or plans for local redistricting. This committee will most likely include someone from the locality's planning department, legal officer (or a designee), and possibly some interested members of the general public and representatives of civic groups. Some localities may establish two committees: a technical committee to work directly with the maps and numbers and a policy committee to provide guidance to the technical committee. Even if the locality declines to appoint the general registrar and/or electoral board members to a redistricting committee, election officials should seek to participate during the planning and plan development phase.

The final adoption of any plan is clearly the responsibility of the local governing body, i.e., the board of supervisors, city or town council.

25.2.1 The Redistricting Calendar

Virginia's election calendar necessitates a more rapid, deadline-driven legislative redistricting process than in most other states. House of Delegates elections, as well as many local elections, are held within eight months of the release of the necessary census data. Every twenty years (1991, 2011, etc.), Virginia Senate elections are also held in the fall immediately following redistricting. Virginia law requires that these general elections be held using the new district lines. ([§ 24.2-304.1](#)). The only exception to this would be a court-ordered election under an old plan due to litigation over a new plan. Consequently, localities with local officers elected in November of redistricting years (2011, 2021, etc.) must complete their work well in advance of the November general election.

Beginning with the 2011 redistricting, VERIS will keep two sets of election districts for each voter until the next general election for that office is held. In November 2004, a Constitutional Amendment was ratified requiring that vacancies for the House of Representatives, House of Delegates, and State Senate be filled from the district that elected the member whose vacancy is being filled. ([Art. II, § 6.](#)) This provision appears self-executing, requiring no legislation to make it operative.³

Below is a general calendar covering the major milestones in the redistricting year. This calendar is targeted at those localities with local elections in November of the redistricting year. If your locality does *not* have elections in November, then there is more time to complete each milestone, but the plan still must be adopted by the end of the

³ See *Gray v. Virginia Secretary of Transportation*, 276 Va. 93, 662 S.E. 2d 66 (2008)

year. Localities that have bailed out are not required to submit their plans for preclearance under the Voting Rights Act. See Chapter 24

December (2010) – March (2011)	Locality develops plans for redistricting process.
January – March	Census Bureau issues population statistics necessary for process.
End of April	Locality proposes redistricting plan.
May	Proposed plan is advertised, public hearings are held, and final plan is adopted.
End of May	Plans submitted to U.S. Department of Justice or U.S. District Court for the District of Columbia for preclearance under Voting Rights Act (Virginia and all localities that have not bailed out).
July	Plans submitted to U.S. Department of Justice deemed approved if DOJ makes no objection within 60 days after filing complete. 42 USC 1973c.
July – August	Registrar identifies voters affected by new district/precinct lines.
August – September	Registrar notifies all affected voters. ⁴

Each of these milestones and their requirements are discussed below.

25.2.2 Planning for Redistricting

Registrars and electoral boards must begin work well before the census data arrives early in the year following the census; they cannot wait for the numbers to arrive. Significant advance preparation is required.

In particular, registrars and electoral boards need to review their budgets. Election officials will need to inform their locality of the projected costs to be incurred during the process. The Code authorizes localities to pay any additional costs associated with redistricting. ([§ 24.2-304.2](#)). Until a redistricting ordinance is adopted, exact costs will not be known, therefore, rough estimates will be needed. Major items to consider:

- **Mailing Costs**

Registrars must mail a notice to each voter affected by redistricting (including those affected by state redistricting plans) at least 15 days before the next election affected by the redistricting ([§ 24.2-306](#)). SBE recommends consulting a mail vendor or

⁴ Historically, voters are notified of district, precinct and polling place changes through the issuance of new voter registration cards. See Va. Code § 2.2-3808(C). In about 2006, the US Postal Service began denying applications to mail voter cards at the lower nonprofit rate allowed by NVRA. SBE staff believes the USPS position is wrong and in 2007 approved a lower cost post card notice the locality could afford.

postal service representative about mailing voter cards at the standard nonprofit rate which requires a permit. If the General Assembly breaks redistricting into two parts (General Assembly Districts vs. Congressional Districts), or if the locality can (and does) delay its redistricting until later in the year, the general registrar will have to mail notices of change *twice* with the second mailing likely falling in the second fiscal year.

- **Machine Costs**

If new precincts are anticipated, local election officials need to project how many voting machines will need to be purchased to properly equip these precincts. (See [§ 24.2-627](#)).

- **Officers of Election**

If new precincts are anticipated, local election officials need to estimate the number of additional officers of election needed to staff them.

- **Staff Costs**

If it appears that temporary staff is required to assist with identifying and notifying voters affected by redistricting, and then local election officials should include such additional staff in the budget request.

- **Delayed Primaries**

For the past two redistricting cycles, the primary has been delayed to August because the General Assembly's plan could not get precleared in time to hold the General Assembly primaries in June. In some cases there may be primaries in BOTH June and a delayed date. *NOTE:* The Code of Virginia requires that primaries for local Constitutional officers be held in June even if the General Assembly primaries are delayed.

Other important steps:

- Collect and organize documentation to support and defend the locality's plan: history of election returns, history of any changes in polling places, precincts, and election district boundaries since the last redistricting.
- Review the current precinct boundaries and polling place locations. What boundaries should change to increase voters' accessibility to polling places? What polling places are inadequate in size and layout, and where are alternative locations that would be better suited for voting?
- Review census maps. Are the precinct boundaries properly represented on existing maps? Are there boundary lines that are not observable and therefore not on the census maps? If so, consider changing these boundary lines.
- Review any in-house population projections or estimates that have been made by the local governing body or its planning department. These may provide indications of which districts need to gain and lose population.
- Review interim population data and projections from the [United States Census Bureau](#) and the University of Virginia [Weldon Cooper Center for Public Service](#).
- Develop an in-house redistricting calendar. Determine when each milestone in the planning and implementation process must be completed and use this calendar to plan staffing needs for the office.

i Census maps- Before each census, the [United States Census Bureau](#) produces and sends to each locality a set of highly detailed maps showing every “block” in the locality. A block is defined as any area, no matter how small, that is completely bounded by clearly observable features. Observable features include streets, roads, rivers, power lines, railroad tracks, mountain ridgelines, etc. In an urban area, a block will most likely be a normal city block. In a rural area, it may be farmland or forest covering several square miles. Starting from the block level, these maps will also show increasingly larger areas in the following order:

- Block groups
- Census tracts
- Voting districts or “VTDs” (precincts)
- Minor civil divisions (election or magisterial districts)
- The county or city

These maps are developed by the US Census Bureau in cooperation with the Division of Legislative Services, local planning departments, and general registrars. Maps are produced in both paper and electronic format.

When the population numbers arrive, they will be broken down to the block level and also aggregated to each of the geographical areas listed above. The numbers also will be available in both paper and electronic format.

25.2.3 Real vs. Adjusted Precincts

Precinct boundaries *should* follow block boundary lines, because the Code requires precinct lines to follow clearly observable boundaries. ([§ 24.2-305](#)). In many cases, they do not. Where a precinct line does not follow a clearly observable geographical feature, the Census Bureau is unable to draw the true precinct boundary line on the maps. In these cases, the line drawers must “move” the precinct line to the block boundary that is nearest to the real precinct line. When this is done, the resulting precincts are called **adjusted** (or “pseudo”) precincts. (In 2001, approximately 32 percent of Virginia’s precincts were shown as adjusted precincts on the census maps). In a few cases, there are simply no nearby block boundaries to be used. In these cases, the line drawer may join two precincts together as a **combined** precinct.

Adjusted or combined precincts present problems for redistricting. Where they occur, the census numbers will reflect the population of the adjusted or combined precinct and not the real precinct. As a result, persons redistricting must estimate as closely as possible the population of each real block and precinct in order to get a picture of the locality’s population according to the current precinct/district lines. To solve this problem, and to prevent it from happening in the next redistricting, *the redistricting committee should make every effort to establish precinct lines that follow clearly observable boundaries*, as the Code requires.

25.2.4 When the Numbers Arrive

As soon as the Census Bureau develops the numbers, the local governing body will receive population statistics broken down by age (total vs. voting age), race, and Hispanic ethnicity for each block in the locality. The technical work of developing a redistricting plan must begin immediately. Key concepts are:

1. Ideal District Size

In localities that elect city councilors or members of the board of supervisors (and, in some cases, school board members) by district, the ideal district size is determined by dividing the total locality population by the number of districts. *All* constitutional equality calculations use total population, not voting age population. In contrast, state statutory requirements (e.g., polling place size, voting equipment) may consider only registered voters. (e.g., §§ [24.2-307](#) and [24.2-627](#)).

2. Maximum Allowable Deviation From Ideal

The primary goal of redistricting is to create substantial population equality among districts. Defining “substantial equality” is an issue that has been addressed in numerous court cases over the years. Courts tend to use a different definition for congressional districts than they do for local districts. For localities, historical usage and case law have established, as a general principle, a maximum allowable deviation from ideal population of $\pm 5\%$. The focus is on the ease of achieving population equality rather than a particular number.

For localities composed totally of single-member districts, the range of historically acceptable population base is calculated by multiplying the ideal size (determined in Step 1) by .95 and again by 1.05. The resulting figures represent the range of population base for new districts from smallest to largest historically considered acceptable.

For localities using multi-member districts or a mix of single-member districts and at-large seats, more complex calculations are needed. The Division of Legislation Services’ [Guide to Local Redistricting](#) provides a full discussion. (<http://dlsgis.state.va.us/Ref/redist01.pdf>)

3. Drawing New District Lines

The real work involves drawing district lines. Some localities (or planning districts) have purchased computer software that moves election district boundary lines on a computer screen – and automatically recalculates district population totals based on the new boundaries. These programs handle the most tedious part of this job. Localities without such technology must establish the “pencil-paper-and-post-it-note” system that works best to recalculate district population figures based on various boundary scenarios.

Localities must observe several principles of redistricting when moving boundary lines. These principles derive from the Constitution, Code, case law, and common sense.

- Districts should be nearly equal in population size ([Constitution of Virginia, Article VII, § 5](#)).
- Districts should be composed of contiguous and compact territory. ([Art. VII, §5](#)) This means that a district cannot be composed of two or more unconnected pieces of land and that it should, to the extent possible, represent one land mass and not look like an octopus or salamander.
- Local election district lines may not split precincts. ([§ 24.2-307](#)). If a new election district line runs through an existing precinct, new precinct lines must be drawn.
- Where possible, “communities of interest” should be preserved. This principle means that villages and other “communities,” even though they may not be legally recognized political subdivisions, should not be split between election districts.
- Where possible, preserve the basic shape of existing election districts. Fewer changes mean fewer voters to notify about changes in their representation and polling place, and fewer confused voters on Election Day. Localities that have experienced fast but uneven growth, or that change the number of districts will find this principle difficult to meet.
- Voter convenience and effective administration of elections should be considered. The effect of new district boundaries on precinct size and polling place availability should be taken into account.
- The effect of any changes on the voting rights of minority groups, as outlined in the federal [Voting Rights Act](#), must be taken into account. Issues and case law regarding this factor are discussed in detail in the Division of Legislative Service’s [Guide to Local Redistricting](#).

4. Drawing New Precinct Lines

The creation of new district boundaries requires the creation of new precinct boundaries. Even where a district boundary is unchanged, moving a precinct boundary or creating a new precinct may be desirable to enhance voter accessibility or to use a new and better polling place location.

The same general principles of size and shape apply to precincts, with the following requirements ([§§ 24.2-307 - 24.2-309](#)):

- Precincts cannot be created with more than 5,000 active registered voters.
- A *county* precinct cannot be created with less than 100 active registered voters.
- A *city* precinct cannot be created with less than 500 active registered voters.
- The above requirements regarding minimum size can be waived if a larger precinct cannot be created in which all voters are voting the same ballot.
- A precinct must be completely within one local election district.

- A town can have only one precinct unless the town council, by ordinance, establishes more than one precinct.

The primary criteria for establishing a precinct are:

- the precinct polling place is easily accessible to those who will be voting there,
- the precinct population size is neither too large nor too small for efficient Election Day staffing and administration,
- the expected growth will not put a precinct over the maximum size in the foreseeable future,
- where possible, communities of interest are not split among multiple precincts, and
- precinct boundaries, like election district boundaries, follow clearly observable boundaries. These criteria are discussed briefly below:

- **Geographic Size And Accessibility**

There are no rules or standards regarding the maximum time it should take a voter in a given precinct to travel to his polling place. Obviously, this will vary according to the overall size and urban/rural character of the locality. In general, a voter should not be expected to spend more than 20 minutes, under normal traffic and weather conditions, driving to his polling place.

- **Population Size And Efficiency**

Within the statutory range, there are no standards suggesting an optimum population size for a precinct. Extremely small precincts (100 to 200 registered voters) usually are not cost efficient, since they require three officers of election at all times on Election Day as well as the purchase, programming, and in many cases, transportation, of voting machines. Extremely large precincts (4,000 to 5,000 registered voters) often suffer from Election Day parking problems, long lines during peak voting periods, and difficulty with recruiting and keeping sufficient officers of election to staff them. Many Virginia election authorities consider 1,500 to 2,500 registered voters to be the optimum precinct size range.

- **Keeping Communities Together**

While often unavoidable, it is best not to split precincts along streets or roads that run through cohesive neighborhoods or rural villages. Putting close neighbors in different precincts causes them confusion and consternation. For this reason, rivers, railroad tracks, and interstate highways often make the best precinct boundary lines.

- **Following Clearly Observable Boundaries**

This principle is law ([§ 24.2-305](#)) and good practice. Using clearly observable boundaries facilitates identification of voters affected by redistricting. It is also necessary for drawing correct census maps and

accurately determining precinct populations. (See the discussion above on **Real vs. Adjusted Precincts.**)

5. Determine New Polling Places.

Each new or redrawn precinct must have one, and only one, polling place. ([§ 24.2-307](#)) Where possible, a polling place should be in a location that provides maximum accessibility for all the voters in the precinct. Ideally, a polling place should be on a well-known street or road, in a well-known public building, and in a location that requires the shortest driving time for voters in the outlying parts of the precinct.

Polling places must be accessible to persons with disabilities. ([§ 24.2-310](#)).

This requirement is discussed in depth in Chapter 8, Accessibility.

Where an ideal building and location do not exist, the need for maximum accessibility must be balanced with the need for a structure of adequate size and design to accommodate Election Day voter traffic. In some cases, the best location may be outside the boundaries of the precinct. The Code ([§ 24.2-310](#)) allows several exceptions to the principle of establishing a polling place within the precinct it serves:

- A polling place may be located within one mile of the precinct it serves (but it must be within the locality).
- A town polling place may be within one mile of the town precinct it serves (but still within the county).
- A county polling place may be within a city, as long as the city is completely surrounded by the county election district served by the polling place.
- More than one polling place may be in the same building, as long as each polling place is in a separate room or defined area.
- If a precinct that is smaller than the normal size requirement is established (in order to allow all voters in it to vote the same ballot), then the polling place must be within one mile of the precinct boundary. ([§ 24.2-309](#))

25.2.5 Adopting a Redistricting Plan

While registrars and electoral board members do not have legally mandated duties in the plan adoption process, they should be prepared to be involved in and monitor every step of the process.

1. Publicizing The Proposed Plan

Notices of proposed changes in election districts, precincts, and polling places must be published in a newspaper of general circulation once a week for two successive weeks. If the notice itself does not describe or display the changes proposed, then it must state where maps and descriptions showing the changes may be inspected. ([§ 24.2-306](#)).

2. Adopting The Ordinance

The local governing body must adopt by ordinance any change in election districts, precincts, and polling places. The ordinance cannot be adopted

within sixty days of any general election. ([§§ 24.2-304.1 - 24.2-309.1](#)). An ordinance cannot be adopted until a public hearing on the proposed changes is held.

What should be the effective date of the redistricting ordinance? For recent redistricting, the state has frozen precinct lines for a temporary period, and then specified when they could be unfrozen. Section [24.2-309.2](#) generally prohibits precinct boundary changes from taking effect from February 1, 2009, through May 15, 2011. *District* changes become effective on the date they are adopted. ([§24.2-311](#)). If needed, two separate ordinances – one for election districts and one for precincts – can be adopted.

3. Submitting The Proposed Changes For Pre-Clearance

Most Virginia cities and counties are required by the federal [Voting Rights Act](#) to pre-clear any polling place, precinct, or district changes with the U.S. Department of Justice or the District Court of the District of Columbia. (See Chapter 24).

The chief legal officer of the locality should make submissions under Section 5. Electoral board and registrars should assist by providing maps, voter registration figures by precinct, population figures and other demographics of both new and old precincts, returns from past elections, and any other information appropriate for inclusion in the submission. Local election officials should be familiar with the various submission requirements. ([28 C.F.R. Part 51](#).) If you need assistance, you should be able to obtain this information from your locality's Community Development or IT Department. The Department of Justice has sixty days from the date of receipt of a submission to object to any changes or to request additional information. It is important to ensure that the original submission is as complete as possible because any request for additional information restarts the sixty day clock.

4. Submit Changes To Other Authorities

The clerk of the local governing body is required to provide copies of the redistricting plan to the local electoral board, the SBE, and the Division of Legislative Services ([§ 24.2-306](#)). Copies should be sent as soon as the plan has been adopted by the governing body. Notification should also be sent when pre-clearance is received. If the SBE does not receive a copy of the plan after an ordinance has been passed, the office of the city or county clerk must be contacted for a copy.

The Code of Virginia provides that local elections are to be rescheduled if pre-clearance is not received at least 30 days prior to the general election, and provides the procedures for the rescheduled election ([§ 24.2-313](#)).

25.2.6 Timing: State and Local Redistricting

The timing of local redistricting efforts is affected by the timing of the General Assembly's redistricting and reapportionment efforts. Localities that have local elections in November will be conducting redistricting at the same time as the General Assembly and risk having split precincts. (See Chapter 14). State legislative and congressional

redistricting plans are held to a stricter standard for creating districts of equal population than the local standard. As a result, the General Assembly often must adopt legislative district boundaries that run through localities on “clearly observable features” that have never been used as precinct boundary lines. In other situations, the General Assembly may adopt a pre-existing precinct boundary line at the same time that the locality is abandoning or moving that line.

There is no easy solution to this problem, but following some simple guidelines may help:

- Localities that have local elections in November will be conducting redistricting at the same time as the General Assembly. Inform the Division of Legislative Services of any new boundary lines as soon as possible.
- Keep abreast of any General Assembly-proposed boundary lines. If time permits, localities that have not already adopted their ordinance may be able to use such lines in their own plan.
- Localities that do not have local elections in November should wait until the General Assembly completes its redistricting before completing their local redistricting.
- If split precincts occur, adjustments to “fix” these precincts may still be possible the next year. The Code provides guidelines for making post-redistricting precinct adjustments ([§ 24.2-304.1](#)).

Reapportionment can affect when a locality draws their local lines. During reapportionment, all or part of a locality may find itself in a new State Senate or congressional district. If so, the records of affected voters must be changed and the voters informed of the changes (see below). Localities should avoid sending multiple mailings to affected voters if possible. Multiple mailings will increase the postage costs and confuse many voters. Monitoring developments in the General Assembly’s redistricting calendar can help a locality complete its work in a time frame that allows all changes to voter record and notifications to be made at the same time or in the fewest mailings.

25.2.7 Implementing Your Redistricting Plan

Plan implementation is the responsibility of the general registrar and electoral board. Both must take several steps before the next election.

25.2.7.1 Duties of the General Registrar:

- **Identify Affected Voters**
The registrar and staff should, as soon as feasible after adoption of a redistricting plan, begin identifying voters whose polling place, precinct, election district, or legislative district will change. Depending on the size of the job, you may wish to begin this work before pre-clearance has been received.
- **Change the Records of all Affected Voters**
VERIS includes a redistricting database to assist in changing the records of affected voters. The general registrar should consult VERIS documentation and

the SBE directives on the use of the redistricting database. Before any redistricting transactions can be performed in VERIS, a request to be loaded into the redistricting database must be submitted to VERIS HELP. Work sheets for recording all necessary changes can run in VERIS.

The redistricting database, in VERIS, provides the locality with the ability to begin entering redistricting changes prior to actually receiving approval from the Department of Justice. However, the redistricting changes are not moved to the VERIS production database until all data entry is complete, redistricting plans are approved and any pending court suits have been resolved.

The general registrar must change each affected street file segment (streeted localities) or each voter's record (non-streeted) to reflect new districts, precincts, and/or polling places. Block change programs are used when records for all the registrants in one locality, district, or precinct are being changed from one specific district or precinct to another specific district or precinct. Block changes greatly reduce the number of transactions that must be entered. All changes entered into the redistricting database generate reports. These reports should be checked carefully against maps and legal descriptions.

The redistricting database and the production database are not connected during data entry. For streeted localities, in order for the information to transfer properly, all street names, directions and other information must perfectly match. Therefore, it is critical that once the street file is loaded into the redistricting database, all new street additions, changes or deletions made in the production database must also be made in the redistricting database.

Once all data entry is complete, litigation resolved and preclearance obtained, it is the responsibility of the general registrar to request that SBE move all records within the redistricting database to the production database, replacing the current records in that database. At that time, all voter records that do not match the new database, (because street changes were not made in either databases or data entry errors) will be reported on an **Exceptions Report**. This report requires the general registrar to take corrective action.

- **Notify Affected Voters**

After all exceptions have been corrected in the production database, notices must be mailed to all affected voters. New voter cards or mailing labels may be requested by completing and submitting the Reprecincting/Redistricting Voter Card Request Form for each registrant whose precinct, district or polling place has changed. Notification must be made at least fifteen days before the next general, primary, or special election ([§ 24.2-306](#)).

The affected voters will be printed on the "Errors and Valid Transaction" report. Changing the information on all affected voters' application forms is a much more difficult and laborious process. When the number of affected voters runs into the

thousands, as is often the case, the task of locating, pulling, changing, and refiling affected application forms can take up significant staff time. Noting redistricting information on application forms is optional.

25.2.7.2 Duties of the Electoral Board:

- **Purchase New Voting Equipment Where Needed**

As soon as the registrar has determined or estimated the number of voters in each newly created or redrawn precinct, the electoral board must determine whether and where new voting machines will be needed. If new machines are needed, the electoral board should immediately order machines from the vendor and notify the SBE of the number of new machines it intends to purchase. (See [§ 24.2-627](#)). Currently only optical scan voting equipment may be acquired due to the ban on acquiring DRE equipment enacted in 2007. (§ [24.2-626](#).)⁵ All polling places must be accessible so an additional accessibility device may be needed. (§ [24.2-626.1](#)). Currently only one vendor offers an approved device (AutoMARK). Localities that have not bailed out of Section 5 of the [Voting Rights Act](#) must pre-clear introduction of any new voting system.

- **Reassign and Add Officers Of Election Where Needed**

Changes in the number and/or size of precincts will necessitate changes in the distribution of officers of election. The electoral board must (1) re-assign officers of election that have been affected by re-districting to their new precincts, (2) determine the total number of officers needed in each precinct, and (3) if necessary, appoint new officers to those precincts where additional officers are needed. (See Chapter 4). Additional equipment for the officers such as electronic pollbooks may also be needed.

- **Publicize Changes**

Sending new voter cards is rarely sufficient to ensure public awareness of changes in polling places and district and precinct boundaries. To minimize Election Day confusion, the electoral board should make every effort to promote and publicize these changes to the affected public. Options for the electoral board to consider in determining the methods best suited to local circumstances include:

- Asking local media outlets to run stories on redistricting changes. These are usually more effective if run close to Election Day.
- Asking the local governing body to pay for additional notices in local print media.
- Writing letters to the editor reminding the public of the changes.
- Just before Election Day, placing notices and maps on the doors of any abandoned polling places that direct voters to their new polling places. Such

⁵ 2010 legislation provides limited relief to the DRE ban by allowing localities to acquire DRE's for the purpose of providing one voting system at each polling place equipped for individuals with disabilities as required by law.

maps and notices are also helpful at polling places that have been retained but serve a precinct with redrawn boundaries.

- Where a polling place has been retained – but significant numbers of voters have been switched to a different polling place – stationing an officer of election at the front door on Election Day to check that voters have come to the right place.
- Update changes on your locality’s website and/or public access channel.

25.2.8 Other Times to Redistrict

In addition to redistricting required after every decennial census, counties, cities, and towns must go through the redistricting process if:

- there is a change in the county, city, or town boundary that results in a population increase or decrease of more than one percent;
- a court has ordered a redistricting;
- there is a change in the form of government; or
- the number of districts or wards has been changed. ([§ 24.2-304.1](#))

25.2.9 Reprecincting at Other Times

In addition to redistricting required after every decennial census, counties and cities may adjust precinct boundaries and/or create new precincts from time to time. For example, high turnout at a presidential election (over 4,000 voters) requires notice to the local governing body to establish a new or redrawn precinct with no more than 5,000 registered voters. § [24.2-307](#).

This interim **reprecincting** is to be distinguished from **redistricting**, a term reserved to the decennial process and required redistricting under [§ 24.2-304.1](#) that are the focus of this chapter. In preparation for redistricting, the General Assembly every ten years enacts legislation freezing precincts for a defined period so that reprecincting generally cannot occur while redistricting is underway. For the 2011 redistricting, the reprecincting freeze is February 1, 2009 through May 15, 2011. § [24.2-309.2](#). During this time, localities cannot enact ordinances changing precinct boundaries to be implemented for elections before May 15, 2011, with limited exceptions (law changing locality boundary, court order, form of government change, and change in number of local election districts not at-large).